

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JACQUELINE CLAY,

Plaintiff,

-against-

EXPERIAN INFORMATION SOLUTIONS, INC.,
EQUIFAX INFORMATION SERVICES, LLC,
TRANS UNION LLC, KOHLS DEPARTMENT
STORES, INC., BURLINGTON STORES, INC.,
and NISSAN NORTH AMERICA, INC.,

Defendants.

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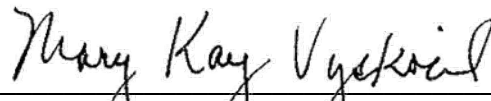
ORDER OF DISMISSAL
AGAINST DEFENDANT
BURLINGTON STORES, INC.

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter filed by Plaintiff informing the Court that Plaintiff and Defendant Burlington Stores Inc. (“Burlington”) **only** have reached a settlement in principle [ECF No. 61]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued against Defendant Burlington **only** without costs to either party and without prejudice to restoring the action against Defendant Burlington to this Court’s calendar if Plaintiff and Defendant Burlington are unable to memorialize their settlement in writing and as long as the application to restore the action is made **by February 12, 2024**. If no such application is made by that date, today’s dismissal against Defendant Burlington **only** is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004).

SO ORDERED.

Date: January 12, 2024
New York, NY



MARY KAY VYSKOCIL
United States District Judge